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09/854,627	05/15/2001	Juhani Murto	4208-4010	8023
27123	7590	11/02/2005		
MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			EXAMINER HO, THOMAS M	
			ART UNIT	PAPER NUMBER
			2134	

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/854,627

Applicant(s)

MURTO ET AL.

Examiner

Thomas M. Ho

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 8/9/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-8,10-22,25 and 28-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1,3-8,25,28-31 and 33 is/are allowed.
- 6) ☒ Claim(s) 10-22, 32, 34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 8/23/05.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. The RCE of 8/29/05 has been received and entered.
2. Claims 1,3-8,10-22,25 and 28-34 are pending.
3. Claims 1,3-8,25,28-31 and 33 are allowed.
4. Claims 10-22,32 and 34 are rejected.

#### ***Response to Arguments and Amendments***

In view of the arguments presented by the Applicant with respect to claims 1, 25, 31 and 33, the Examiner has reconsidered the rejection and found applicant's arguments to be persuasive. Accordingly the rejections with respect to these claims and their dependent claims are withdrawn.

The Applicant has further argued on page 14 with the newly amended claims, 10, 32, and 34:

"Independent claims 10, 32, and 34 have been amended to recite a replay feature. A similar feature was previously recited in dependent claim 24 (now canceled). According to this feature, updated geographical information is used. The Examiner asserts on page 16 of the office action that Rosen discloses such a replay feature at column 6, lines 40-45. Applicants respectfully disagree. This passage in Rosen addresses further activity based on a previous search. However, this further activity in Rosen is not a replay. Instead, this further activity (which occurs after

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time-dependent, geographically localized information has been provided to a user) involves “further” (i.e. different) “selections to obtain more specific information.”

The Examiner disagrees. Rosen discloses an update to a previous search as the Applicant has conceded. While some parameters differ (as the search is updated to incorporate changes made over time), the underlying search is still the same. For this reason, Rosen has applied the term “updated” rather than speaking of a new search. The essential identity of the search is still the same.

Furthermore, the Examiner notes that while the Applicant attempts to distinguish that the further activity of the search of Rosen involves “further (i.e., different) selections” and therefore is not a “replay”, the Applicant him/herself also uses updated data in the “replay”. Claim 10 clearly recites a replay of a search that differs from the previous search parameters. Claim 10 recites:

“Replaying the search handle by the user using abbreviated means, wherein said replaying comprises appending the search handle with updated geographic location data.”

For this reason, the Examiner has found the Applicant’s arguments to distinguish over the prior art rejection to be unpersuasive.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 10-22, 32, 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosen et al., US patent 6,014,090. and “UDDI: an XML web service” and Tauber et al. “Surfing the Internet with Netscape Communicator 4.”

In reference to claim 10:

Rosen et al. discloses a method to enable a wireless device to discover internet businesses or services by accessing the Universal Description, Discovery, and Integration (UDDI) registry, comprising:

- entering a location handle that will be associated with a geographic location of the wireless device, where the location handle can be entered through a bar code reader as the geographic location. (Column 3, lines 13-20)
- receiving location data and linking the location data to the location handle (Column 3, lines 13-20)
- (c ) entering at least one query term. (Column 5, lines 28-44) & (Column 3, lines 13-20)
- Storing the at least one query term and identifying the stored term with a search handle; Rosen et al. (Column 5,lines 28-42)

- Replaying the search handle by the user using abbreviated means wherein said replaying comprises appending the search handle with updated geographic location data. (Column 6, lines 30-45)

Rosen et al. fails to explicitly disclose the use of UDDI and its associated XML implementation.

In particular Rosen et al. fails to disclose:

- sending a find\_business XML inquiry to the UDDI registry in response to the entered query terms with appended location data.
- receiving back from the UDDI registry, a businessList message that contains a list of business names satisfying the find\_business query and location data.

“UDDI: an XML web service” discloses:

- sending a find\_business XML inquiry to the UDDI registry in response to the entered query terms with appended location data, where the XML inquiry is a find\_business inquiry (page 1, “What XML do you Post”)
- receiving back from the UDDI registry, a businessList message that contains a list of business names satisfying the find\_business query and location data. (page 1, “What do you get back”)

“UDDI: an XML web service” discloses that UDDI, the Universal Description, Discovery, and Integration Service is an online Web Service that one can use from their applications to dynamically discover other online services, through an XML interface. (Page 1, near the top

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where it says : “The Universal Description, Discovery, and Integration Service is now up and running at Microsoft, IBM, and Ariba”)

Rosen et al. (Column 4, lines 5-17) discloses accessing Internet information from a mobile wireless device.

The Examiner had previously taken official notice that wherein said replaying comprises appending the search handle with updated geographic location data is common and well known in the art. For example, a handle including the term street may be taken as st.

It would have been obvious to one of ordinary skill in the art at the time of invention to add the UDDI web service to the additional web/Internet services that could be accessed from a wireless device in order to provide the advantages of the UDDI protocol.

In reference to claim 11:

“UDDI: an XML web service” discloses the method of claim 10, which further comprises:

- selecting an item from the returned businessList message, where the businesskey item is selected. (Page 2, paragraph 1)
- drilling down in the selected business’ entity data (Page 2, paragraph 1)
- sending a find\_service XML inquiry to the UDDI registry (Page 2, after paragraph 1 “<find\_service generic=’1.0’ xmlns...” )

- receiving back from the UDDI registry, a serviceList message that contains a list of names of services offered by the selected business in the geographical location, where the list of services is stored in the servicekey. (Page 2, after paragraph 1 “This returns the information about this service...” )

In reference to claim 12:

“UDDI: an XML web service” discloses the method of claim 11, which further comprises:

- selecting an item from the returned serviceList message, where the servicekey is selected from the servicelist. (Page 2, where it says “Then you can use the servicekey to get the details about this particular service”) Note that servicekey is an item from the servicelist in the XML that precedes it.
- drilling down in the selected service data, where the data is drilled down for even more information. (Page 2, where it says “Then you can use the servicekey to get the details about this particular service”)
- sending a *get\_serviceDetail\_XML* inquiry to the UDDI registry; (Page 2, The XML set of statements following the sentence “Then you can use the servicekey to get the details about this particular service”)
- receiving back from the UDDI registry, a serviceDetail message that includes binding Template data that contains the details of the selected service. (Page 2, At the bottom in the series of XML statements after “This returns the following <bindingTemplates>” where it says “<servicedetail generic=“1.0””)



In reference to claim 13:

“UDDI: an XML web service” discloses the method of claim 12, which further comprises:

Including in the bindTemplate data an accessPoint URL, which is the URL of the selected service on the website of the selected business.

(Page 2, near the bottom where it says: “This returns the following <bindingTemplates>”, looking further down in the XML code, you can see <accessPoint URLType=”https”>https://uddi.Microsoft.com/publish</accesspoint>)

In reference to claim 14:

“UDDI: an XML web service” discloses the method of claim 13, which further comprises displaying the accessPoint URL to the user.

(Page 2, near the bottom where it says: “This returns the following <bindingTemplates>”, looking further down in the XML code, you can see <accessPoint URLType=”https”>https://uddi.Microsoft.com/publish</accesspoint>, note that this is the XML information returned to the user)

In reference to claim 15:

Rosen et al. (Column 3, lines 3-12) discloses the method of claim 1, wherein the location data of a wireless device includes a Global Positioning System (GPS) coordinate, where the GPS system is part of the mobile communication device. (Figure 1, Item 30)

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In reference to claim 16:

Rosen et al. fails to explicitly disclose the method of claim 10, wherein establishing the geographical location of a wireless device utilizes Mobile-Based Enhanced Observed Time Difference.

The Examiner takes official notice that Enhanced Observed Time Difference or E-OTD was well known to those of ordinary skill in the art at the time of invention. E-OTD has an architecture associated with GSM and is known to be a mobile based method.

It would have been obvious to one of ordinary skill in the art to use E-OTD as an additional positioning mechanism to avoid using GPS satellites if they weren't available, through the use of a GSM based mechanism.

In reference to claim 17:

Rosen et al. (Column 3, lines 3-12) discloses the method of claim 10, wherein the location data includes map information services/databases in the form of GPS and geographic location data.

In reference to claim 18:

Rosen et al. (Column 3, lines 3-12) discloses the method of claim 1, wherein establishing the geographical location of a wireless device utilizes a gateway mobile location center, where the gateway mobile location system is the GPS satellite.

In reference to claim 19:

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Rosen et al. (Figure 2, Item 200) discloses receiving location data including a cell ID associated with the wireless device, where cell ID is the global location identifier. The Examiner also notes that cell IDs are inherent to cell devices, as each cellular device is associated with it, a serial number. Furthermore, any network device also contains a network address which is a piece of information used in identification.

In reference to claim 20:

Rosen et al. discloses the method of claim 13, which further comprises:

(a) storing the location handle in a user profile with the location data, where the location handle is stored and sent with a user profile. (Column 4, line 66 – Column 5, line 5)

(b) providing the user with a shortcut for appending location data, in response to the users' entry of abbreviated location handle to the wireless device, where the data is appended by being directly obtained by the GPS unit and sent to the telecommunications network. (Column 4, lines 53-65)

In reference to claim 21:

Neither Rosen et al. nor "UDDI Technical White paper" explicitly disclose the method of claim 10 which further comprises pasting a user location into the at least one query term by pressing a hotkey button connected to the wireless device.

The Examiner takes official notice that pasting a user location into a query term by pressing a hot key button was well known at the time of invention.

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One example is if a user were to goto [www.mapquest.com](http://www.mapquest.com) or [www.zip2.com](http://www.zip2.com), and copy and past an address into one of the web fields, using Shift+Insert.

It would have been obvious to one of ordinary skill in the art at the time of invention to press a hotkey to paste a user location into at least one query term in order to save the user the time of having to type the user location in.

In reference to claim 22:

Rosen et al. fails to disclose the method of claim 10, wherein the location data is updated in accordance with the geographic location of the wireless device.

The Examiner takes official notice that updating location data in accordance with the location of a wireless device was well known at the time of invention.

Examples are homing beacons or devices, or the mobile unit system of US patent 5579535.

(Column 4, line 44-48)

It would have been obvious to one of ordinary skill in the art to update the location data in accordance with the geographic location of the wireless device in order to obtain information that was appropriate with user's current location.

Claim 32 is rejected for the same reasons as claim 10.

In reference to claim 34:

Rosen et al. discloses a system to enable a wireless device to discover Internet businesses or services by accessing the Universal Description, Discovery and Integration (UDDI) registry, comprising:

- A processor; (Figure 1, Item 111)
- A memory coupled to the processor (Figure 1, Item 112), programmed to perform the steps of:
  - Entering a location handle that will be associated with a geographic location of the wireless device (Column 3, lines 13-20), wherein the geographical location is further associated with the hotkey switch;
  - Receiving location data and linking the location data to the location handle and hotkey switch (Column 3, lines 3-13)
  - Entering at least one query term, where the entered term is the geographic location. (Column 5, lines 28-44)
  - Storing the at least one query term and identifying the stored term with a search handle; Rosen et al. (Column 5, lines 28-42)
  - Replaying the search handle by the user using abbreviated means wherein said replaying comprises appending the search handle with updated geographic location data. (Column 6, lines 30-45)

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The Examiner takes official notice that Hotkey switches were well known in the art at the time of invention. Examples are the hotkeys for cutting CTRL+X, and Pasting, Shift+Insert.

Associating the location with a hotkey would merely involving cutting the location information to the clipboard using a hotkey. Appending the location to a query or request would merely involve pasting the location using a hotkey. Using hotkey shortcuts for tasks, such as Alt+F4 to close windows has been disclosed in the Windows environment since its inception.

Rosen et al. fails to explicitly disclose the use of UDDI and its associated XML implementation.

In particular Rosen et al. fails to disclose:

- sending a find\_business XML inquiry to the UDDI registry in response to the entered query terms with appended location data.
- receiving back from the UDDI registry, a businessList message that contains a list of business names satisfying the find\_business query and location data.

UDDI: an XML Web Services discloses:

- Sending a find\_business XML inquiry to the UDDI registry in response to the entered query terms with appended location data, where the XML inquiry is a find\_business inquiry (page 1, “What XML do you Post”)
- Receiving back from the UDDI registry, a businessList message that contains a list of business names satisfying the find\_business query and location data. (page 1, “What do you get back”)

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“UDDI: an XML web service” discloses that UDDI, the Universal Description, Discovery, and Integration Service is an online Web Service that one can use from their applications to dynamically discover other online services, through an XML interface. (Page 1, near the top where it says : “The Universal Description, Discovery, and Integration Service is now up and running at Microsoft, IBM, and Ariba”)

Rosen et al. (Column 4, lines 5-17) discloses accessing Internet information from a mobile wireless device.

It would have been obvious to one of ordinary skill in the art at the time of invention to add the UDDI web service to the additional web/Internet services that could be accessed from a wireless device in order to provide the advantages of the UDDI protocol and to allow pasting of the geographical location to the query using the hotkey switch to provide the convenience of the user cutting and pasting the geographic location info instead of having to enter it each time.

### ***Conclusion***

8. Any inquiry concerning this communication from the examiner should be directed to Thomas M Ho whose telephone number is (571)272-3835. The examiner can normally be reached on M-F from 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory A. Morse can be reached on (571)272-3838.

The Examiner may also be reached through email through [Thomas.Ho6@uspto.gov](mailto:Thomas.Ho6@uspto.gov)

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-2100.

General Information/Receptionist Telephone: 571-272-2100 Fax: 571-273-8300

Customer Service Representative Telephone: 571-272-2100 Fax: 571-273-8300

**TMH**

**October 30<sup>th</sup>, 2005**

A handwritten signature in black ink, appearing to read 'Greg Moore', with a stylized flourish at the end.

GREGORY MOORE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER